

Nepal-China Humla Segment Border: A Geo-political Discourse

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Abstract

Local inhabitants of Limi-Namkha area of Humla district of Nepal raised an issue that Nepali frontier has been encroached by China, constructing eleven buildings. The objective of this paper is to analyze whether the Nepalese frontier has been encroached. I made a study and verified with the secondary information, including the photographs published by the media. Nepal government should call a geo-political discourse with the Chinese authorities to form a joint technical field team to resolve the issue. A joint team must resolve the issue satisfying the local inhabitants of both the frontiers to maintain Nepal-China people to people friendly relation.

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Background

There is a 1439-kilometre-long borderline with 79 main boundary pillars and 20 subsidiary pillars between Nepal and China. Fifteen districts of Nepal have been adjoined with the Tibetan Autonomous Region (TAR) of China and Humla is one of them with Purang County of TAR. Humla district bears 263 km long border with fourteen pillars (9 main and 5 subsidiary pillars) from Pillar number 9 to 13. Nepal-China Humla segment border issue consists from pillar number 11 to 12.



Nepal-China boundary agreement was made between Nepalese Prime-minister B P Koirala and Chinese Premier Chou En-Lai on March 21, 1960 in Beijing. Subsequently, boundary treaty was signed jointly by the King Mahendra of Nepal and Chairman of China Liu Shao-chi in Beijing on October 5, 1961. This treaty was a symbol of 'long-term friendly relations between the two countries that have been progressively enhanced since the establishment of diplomatic relations between the two countries. Both sides have unquestionably resolved the affairs of the two country's borders in a spirit of justice, justification, with their knowledge and mutual cooperation on the basis of five principles of peaceful co-existence.'

The treaty says, formal delineation of the entire boundary between the two countries will be demarcated as a peace and friendship. It serves not only as an element of strengthening China and Nepal's friendly relations, but also it is a commitment to promote peace in Asia and the world.

The Treaty also states that both contracting parties, taking the traditionally established boundary line as the basis and jointly carrying out the necessary local inspections and surveys, have approved the delineation of the entire boundary from west to east, with necessary adjustments made on the principles of equality, mutual benefit, friendship, and mutual cooperation. The

territory to the north of the boundary line shall be Chinese territory, and that to the south shall be Nepali territory.

It stipulates that after the formal delineation of the boundary between the two countries, any disputes arising in relation to the boundary shall be resolved by both parties through friendly consultations.

In the sixty-four years since the conclusion of the Boundary Treaty, no disputes have arisen between the two countries regarding the boundary. However, recently, reports have appeared in the media about a boundary issue in Limi Namkha of Humla that China has constructed eleven buildings encroaching Nepalese frontier. What exactly this issue is, and whether or not there has been any boundary encroachment, will be examined here on the basis of the aforementioned documents and map data.



Chinese Eleven Building Construction

Discourse on boundary

On September 18, 2020 reports emerged in the media- originating from the local level that China had constructed 11 buildings in the Lapcha–Lalungjong area of Limi, Ward No. 6 of Namkha Rural Municipality, Humla, along the Nepal-China border. Following these reports, widespread discussion and debate took place.

For the last sixty-four years since the border treaty was signed, there has been no discourse on border matters between the two countries. However, Nepal's Humla Limi Namkha frontier has come to the media as a border issue. There are descriptions of the documents, maps and border pillar co-ordinates which outline, whether the border has been encroached or not !

On August 18, 2020, when it came to the media from the local level that China has built eleven buildings in the Lapcha Lalungjong area of Humla Rural Municipality-6, on the Nepal-China border. Jeevan Bahadur Shahi, Member of Parliament from Humla and Former Minister did the inspection of border pillar number-11 and said the pillar has not been found.¹ But two days later, he said, the pillar was uncovered by the snow and it is found in its place at Takule Hillock.

¹ Kantipur Daily, September 23, 2020



Nepal-China Boundary Pillar Number-11

Next year on July 10, 2021, a team consisting of Jeevan Bahadur Shai, Chief Minister of Karnali Province Mahaendra Bahadur Shahi and others inspected the pillar number-12 located at Lapcha Pass. Jeevan Shai said, 'the pillar is newly constructed and there are sand and gravel nearby the pillar. He told the media that the alignment of the newly constructed pillar-12 in Lapcha Pass has been completely changed. However, it has not come to light whether they cross-checked maps with the ground, watershed ridges, and pillar co-ordinate data.



Nepal-China Boundary Pillar Number-12

Based on the study report of a team led by Nepali Congress leader Jeevan Bahadur Shahi, the Nepali Congress- then the main opposition party in Parliament issued a press statement asserting that China had encroached upon two kilometers of Nepali land in the Humla border area, alleging that 'even after facts about boundary encroachment in Humla came to light, the government is trying to cover it up.'²

In this context, there may be a question, whether they did the measurement of that pillar by the GPS equipment. But they didn't. Until and unless it is measured by the equipment, nobody could say the exact location of the border pillar. The border pillar inspection work is a matter of the two countries. Besides, the team had not taken permission from Nepal's ministry of foreign affairs and home affairs.

What the documents describe

In the context of the discourse, whether the border pillar-11 is not found or found in its place, pillar-12 is newly constructed or it is an old one; it has to study and verify the documents, maps and co-ordinates of the border pillar. After that, it could be said the exact location of Chinese construction at Humla Limi-Namkha area. The at random statement, without studying the data and documents will be false. Here is an attempt to mention what the border treaty, maps, co-ordinate data, protocol and the report depict on the Nepal's Humla border affairs.

² Kantipur Daily, July 11, 2021

1. Boundary treaty

Regarding the Humla sector, Article 1 (part of 2 and 3) of the 1961 treaty says: At Yari (Hilsa) the boundary line departs from the Mapchu (Karnali) River and runs northeastwards along the mountain spur up to Chialosa (Takule), then along the mountain ridge, passing through Kumalatse (Kumalapche), Kangpaochekuo (Ghanbochheko) and Mainipaimikuo (Manepamango) to Kangkuona (Kangarje) then northwards passing through Kangchupeng (Kandumbu) with the height 6550 meters to Nalakankar.

From Nalakankar, the boundary line runs generally north-eastwards following the watersheds of tributaries flowing into Lake Manasarowar and the tributaries of the Humla Karnali River, the boundary passes through Nalkankar Pass and generally proceeds northeastward up to Lapche Pass.³ From this description, it is to be understood that the watershed ridge separates the two countries in the area where the Humla boundary issue has been raised.

2. Demarcation and co-ordinate

In accordance to the treaty, border was jointly demarcated along Nepal-China boundary line. Regarding Humla sector, pillar number 11 and 12 were erected at Takule hillock and Lapcha pass respectively. These two pillars have been connected through the watershed ridge connecting hill tops, rivers and mountain passes.

The co-ordinate of pillar number 11 is 30°10'30" north latitude, 81° 20' 55" east longitude and height 5202 meters above mean sea level. Similarly, pillar number 12 bears 30° 26' 42.7" north latitude, 81° 37'38.1" east longitude and height is 5,018 meters.

Pillar number 12 is located in Limi Valley, Ward No. 6 of Namkha Rural Municipality, Humla. From this pillar, Kailash-Manasarowar in China lies at a distance of about 18 kilometers. The straight-line (aerial) distance between pillars number 11 and No. 12 is approximately 35 kilometers, while the distance along the watershed ridges, streams, ridges, and knolls between the two pillars is about 77 kilometers.

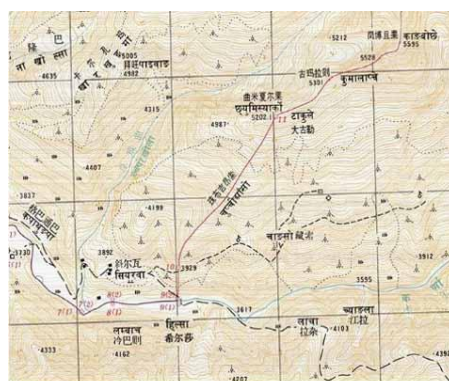
It is not known that whether Jeevan Bahadur Shahi's team checked the co-ordinate of the pillars 11 and 12 whether the data matched with the original coordinates or not has not been made public. If they have not observed with the GPS device on the pillars, their statement, without data, will be falsified.

3. Details of the border map

During the joint demarcation of the entire border lines, 57 sheets of the border maps had been prepared. Humla area belongs map sheet number 4, 5 and 6. The maps indicate that from pillar number 11, the watershed ridge runs a little north-east to Kumalappche (5301 metre), Kangboche (5595), Manepemango (5836), Kangje (5914), Kandumbu (6219), and the Nalkankar ridge to a further 6395 m. Then the border line reaches at a height of 6062 m, and goes again to the north-east. and the border line runs to Lalung hillock (5309) to the Pannamu

³ Nepali, Chitta Ranjan (2024), Nepal–China Boundary Treaty, Mandap Publication House, Kathmandu, Nepal, page 210-11

Hill (5240 m) and then finally, it reaches to Lapcha Pass (5018 m), where there is pillar number 12.



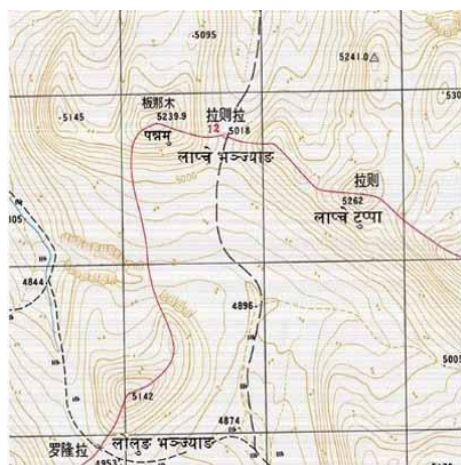
Nepal-China Boundary Strip-map showing also Pillar Number-11

From west of Manepemango, the Chwapo stream originates in Chinese territory and flows southward. From the knoll, the boundary line turns slightly west and then proceeds northeast to an elevation of 6,062 meters. To its west, the Thaiyang stream flows southwest from Chinese territory.

Thereafter, the boundary line proceeds northward along the Nangkashya watershed to a knoll at 5,913 meters. To its south, within Nepali territory, the Gyo stream originates and flows eastward. From the knoll, the boundary line turns slightly east and then southeast, passing a ridge of 5,454 meters near Chhyolm Kyok Lake in Nepal, and then continues northward past Lalung Knoll (5,309 m), turning slightly east to reach Lolung Pass (4,953 m) between ridges of 5,165 m and 5,142 m.

From there, the boundary line proceeds straight north from Panamu Danda (5,240 m) through Lapche Peak (5,262 m) toward the Chandi Himalayan range. Boundary pillar number 12 is shown as being erected at Lapche Pass (5,018 m), located roughly midway between Panamu Danda and Lapche Peak. Slightly north of this pillar, on the Chinese side, lie settlements such as Lapchasya, Kachelh, Manichungla, and Lungwangting, while on the Nepali side there are settlements such as Marjunglay and Gyokharka. South of these settlements, the Gyo Stream and Chyakpolung Stream flow east-south-eastward.

From Lolung Pass and Lapche Pass, footpaths and mule tracks leading toward Taklakot (Purang) in China can be seen. From the maps as well, it is clear that the Humla boundary area follows the watershed ridge system. Nobody knows whether Shahi's team verified the map to the ground ! However, details of the border maps and boundary line tallies each other.



Nepal-China Boundary Strip Map showing Pillar Number 12

4. Border committee report

While studying the Nepal-China Boundary Committee Report-1964, it says on the matter of Humla affairs during demarcation, the Chinese side had said that 'the people of Humla regions have also paid to Tibetan region of China, so China has a right to these areas.' The Nepalese side says: 'the Nepalese paid the rent for grazing costs of land to relevant officials and individuals to Tibetan areas each year for temporary grazing in the border areas adjacent to Tibet, and this practice has been up to this time.'

Similarly, the report reads: 'since the Chinese side did not negotiate in any case to run the talks as a disputed area on the Limi issue and the government's commission report also showed that the Chinese side's objective is to retain the rights. All these facts were verbally submitted to the Nepali cabinet meeting. Then the cabinet decided not to discuss on it. But it is to conduct a joint survey in those places'. Further, it states that 'the boundary of the watershed ridge was a traditionally prevailing border assumed by both sides, based on the principles of geographical elements'.⁴ With these texts, it can be known that the watershed border line was practiced by the Humla border residents to graze their livestock.

From this, it can be understood that border inhabitants of Humla used to take their livestock across the watershed boundary for grazing and bring them back against paying some fee, reflecting long-standing customary practices.

5. Border protocol

After the completion of the entire boundary demarcation and mapping works, the ministers for foreign affairs of both the countries signed a joint Boundary Protocol on January 20, 1963. It was renewed on November 20, 1979 and December 6, 1988.⁵ Before the signing, joint inspection and supervision was made. During the inspection, the wrecked pillars had been

⁴ Nepal-China Boundary Committee Report (April 20, 1964), His Majesty's Government of Nepal, Panchayat Ministry, Singha Darbar, page 3, 24 and 27

⁵ Shrestha, Buddhi Narayan (2022), International Boundaries of Nepal, Nirala Publications, New Delhi, India, page 500

maintained and disappeared pillars re-erected on its previous spots. Where the rivers had changed their previous course, it was recorded to follow its original course at the time of the first demarcation. In such a way, the border line between Nepal and China has been stated to be 1439 km long

For the third renewal of the protocol, a Nepal–China Joint Boundary Committee was formed on April 17, 2006. Most of the technical work related to joint observation, inspection, and implementation has been completed. Discussions were held regarding the fact that boundary marker 57, located north of Dolakha at Korlangpariko Tippa, lay off position, and that the height of Mount Everest had been recorded as lower than it should be on maps. Following joint measurements by both countries, a new height of 8,848.86 meters was determined, and after a joint declaration on 8 December 2020, discussions regarding Everest’s height were concluded. But the Korlangpariko Tippa is not yet resolved.

The 1979 Boundary Protocol provides the following description of the Humla area: “From Takule boundary pillar number 11 (5,202 m), the boundary follows the watershed between the tributaries of the Karnali River on the Nepali side—Gya and Chyakpolung streams—and on the Chinese side the Mabja River, Rongar Stream, and tributaries of the Daling Stream. The boundary first proceeds generally northeast from the summit of Kumalapche Mountain (5,301 m), continuing to the summits of Kangboche (5,595 m), Manepemango (5,836 m), Kangarje (5,914 m), and then generally north to the summit of Kandumbu (6,219 m). It then reaches elevations of 6,422 m, 6,395 m, 6,142 m, 6,010 m, 5,812 m, 5,924 m, 5,759 m, and 5,454 m. From there, the boundary proceeds generally north to Lalung Peak (5,309 m), then southeast to Lolung Pass at 5,165 m. From there, the boundary turns slightly north and then east-southeast, passing through Panamu Peak (5,239 m) to reach Lapche Pass (5,202 m), where boundary pillar number 12 is installed. The length of the boundary line in this section is 77 kilometers. The boundary follows the watershed and passes along mountain ridges.” This description further confirms that boundary demarcation in the Humla area was carried out strictly on the basis of the watershed principle.

6. Trans-frontier pasturing

Nepal-China joint agreement on trans-frontier pasturing by border inhabitants was signed on September 30, 1983. According to the minutes of the meeting, some border inhabitants from Humla District of Nepal is permitted to cross the frontier for grazing on some of the pasture grounds in China's Burang.

Under the agreement, Nepal border inhabitants should pay compensations for trans-frontier pasturing to the local authorities concerned, while they take their cattle for cross-border grazing. For each horse or mule, it should pay 50 Yuan Renminbi or 12 Nepalese Rupees every trans-frontier pasturing season, each sheep/goat 100 grams of wool every 4 months and each yak/cow/bull 250 grams of butter every month. The compensations may also be paid in kind other than the above in equivalent value or in cash. (<https://lawinfochina.com/display.aspx?id=313>)

7. Amba's letter regarding Lapchi

In a letter from Lhasa's Chundu Amba, addressed to His Majesty Rana Bahadur Shahdev of Nepal dated Sambat Pausha 9, 1852 (December 21, 1795), it is written 'We knew something when we are writing the name of Lapche Sokta. The land of Sokta on the verge of a border with stones, falls within the territory of Bhot (Tibet) and it should be given to the Bhot. The lands named Lapche Sothang and Sokta are not in one place, the rest of the land called Sokta border is within the stone and this is under Bhot and the people also are Bhotia. As soon as this letter is reached to you, please order your men that you had sent to the border, whatever the Taya Mubi (Bhotia ?) says, follow according to him, and submit the land of Sokta to Bhot and let him practice of submission'.⁶ With this version, it is to be understood that in the historical times, there was a customary practice to demarcate the territory with the markings of stones. It seems that during the Nepal-China demarcation in 1961-62, it has followed the same customary practice.

8. Reports of recent committee

A committee to study the boundary issues along the Nepal-China border from Limi Namkha rural municipality ward 5 and 6 to Hilsa of Humla district, formed by Nepal government ministry of home affairs handed over the report to Home Minister Balkrishna Khan on September 26, 2021. The committee coordinator Jayanarayan Acharya said 'whether there indeed is encroachment can be established only after an inspection and a thorough study by a joint team. The committee did not particularly indicate any dispute or evidence of the encroachment, but it has suggested some lapses on the part of the Nepali side on border administration, said another member of the panel. We have suggested that the government take necessary steps to protect our own land and resolve issues, if there are any, diplomatically while conducting a joint inspection of the area. We were unable to obtain definite information about who did this. To identify such matters, a joint inspection team comprising experts from both countries should be formed'.⁷

The study team did not conclusively point to any dispute or provide definitive evidence of boundary encroachment. However, the recommendations note weaknesses in boundary administration on the Nepali side. It was found that some boundary pillars in Humla had been repaired and fencing installed without the knowledge of the Nepali side- Coordinator Acharya stated.

Nepal government version

Home Minister Bal Krishna Khan, accepting the Humla study report, says on September 26, 2021 'the report covers the truthfulness and information of Humla's Limi Lapcha to Hilsa border. It has also paved the way for a study of borders elsewhere in the country. The government will take the initiative to implement the content pointed out in the study report.'

The then Foreign Minister Pradeep Kumar Gyawali had said on September 24, 2020 'buildings built in the Nepal-China border region of Humla Namkha municipality are located in the territory of China. Similar news had come in the year 2017. We sent a team for the field visit

⁶ Nepal-China Boundary Committee Report-1964, page 75

⁷ Kathmandu Post Daily, September 29, 2021

and study. According to the report presented by the joint team, the buildings were built by China within a kilometre on their side of the border.⁸

This clearly indicates that both past studies and official statements confirm there is no actual boundary dispute, and the repeated formation of committees has been largely political and procedural rather than due to new factual evidence.

Chinese Embassy version

After the Government formed the Humla Border Study Team on 16 September 2021 (2078 Bhadau 16), the Chinese Embassy in Nepal issued a response. This response is closely tied to China–Nepal diplomatic relations. When the inspection report of Jeevan Bahadur Shahi was sent to the Nepali Congress central committee, alleging Chinese encroachment. The Chinese Ambassador Hou Yanqi personally refuted claims that China had encroached upon Nepal's territory.

On September 18, 2021, the Chinese Embassy spokesperson Luan Xiutan stated: “China has not encroached upon Nepal's territory. The Nepalese government has already clarified this. In the 1960s, the two countries resolved their border dispute through friendly discussions. Although some individuals recently tried to raise the issue of a border dispute between Nepal and China, the Nepalese Ministry of Foreign Affairs issued a statement clarifying the matter.

Spokesperson for the Chinese Embassy in Nepal, Wang Xiaolong in a statement released said China and Nepal have always respected each other's independence, sovereignty and territorial integrity. 'The two countries have settled their border issue through friendly consultations as early as in the 1960s. China-Nepal border has since been free of dispute. Some individual forces earlier tried to hype up so-called China-Nepal border dispute.' (WION, Sep 04, 2021). Earlier on September 23, 2020, Chinese Embassy spokesman had said, it is proved that the Chinese construction is located within Chinese territory. Nepalese side can make a verification.⁹

Meanwhile, the Global Times had published on October 17, 2020 that the Director of the Burang county foreign relations office of China has published that 'the newly constructed buildings are located in a new village under Ali, a kilometre away towards China from the China-Nepal border.' After that the Humla issue was faded down and subsided.

Way forward

Based on the documents, maps, and the watershed principle adopted 64 years ago, the Humla border issue was already resolved. However, since local authorities have raised concerns now, it is relevant for the government to form a joint inspection team, and verify the maps against the land and GPS data, showing historical versus current coordinates.

During this process, the watershed ridge, hills, valleys, and pasture locations must be clearly pointed out. Local residents should be asked, for example: “Observe the eleven buildings- do

⁸ Kantipur Daily, September 24, 2020

⁹ Kantipur Daily, September 4, 2021

they lie north, south, east, or west of the watershed?” This will allow locals themselves to clarify whether the buildings fall on Nepalese or Chinese territory.

According to the aforementioned documents, maps, pillar co-ordinates and adopted watershed principle, it is clear that the frontier of Nepal seems not been encroached by China. However, the local residents of Humla Limi-Namkha area has a feeling that their forefathers use to take their sheep, goats, yaks and horses beyond the border for grazing. Obviously, they don't know, the border has been demarcated following the watershed ridge and hill tops and mountain passes.

So, it is relevant for the government to form a joint team consisting of the both countries representatives with local government authorities through the diplomatic channel. This joint team should go to the Limi-Namkha area. They should verify the border maps, showing the pillar co-ordinates in presence of local inhabitants, representatives of local authorities, district political leaders and district administration personnel of both frontiers. They have to indicate the location of border pillar number-11 at Takule hillock on the map as well as on the ground. And then, it has to show the watershed ridge following various hill tops and passes, ultimately to pillar-12 at Namkha pass. Then, the team should ask to the frontier inhabitants whether they saw the Chinese construction on the north-west side of the watershed ridge or east-south. They may say, the construction is located at north-west towards Chinese side of the watershed ridge.

It is unfortunate not to inform local agencies and frontier residents of both sides of the border showing the exact border line during the demarcation time. Now, after the joint verification, there will be no future grudging in the frontier area of Humla area.

Regardless of whether it is the Nepal-China or Nepal-India border, it is unfortunate that local governments and border residents are not informed. Local residents are the first line of border protection and provide primary information. Yet they are not informed about the official boundary.

Hence, it is critical to verify the boundary on the ground with local residents of both sides, using the 1961 Nepal–China boundary treaty, supporting documents, and maps. By showing and explaining the historical boundary in situ, future border disputes can be prevented. Fact finding team has also mentioned in its report to the Home Minister that joint inspection team comprising experts from both countries should be formed to make a geo-political discourse to sort out the Humla border issue.

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